

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

WILLIAM FORTNER,

Petitioner,

CASE NO. 2:09-cv-977

v.

JUDGE GRAHAM

WARDEN, MANSFIELD CORRECTIONAL
INSTITUTION,

Respondent

OPINION AND ORDER

On May 5, 2010, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 be dismissed. Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

IT IS SO ORDERED.

Date: June 8, 2010

S/James L. Graham
James L. Graham
United States District Judge